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CHAPTER 848

OREGON BOARD OF PHYSICAL THERAPY

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FILING CAPTION: Amending sections of Division 35 to clarify language and permanently remove online content exam requirement.

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RULES:

848-035-0020, 848-035-0030, 848-035-0040

AMEND: 848-035-0020

NOTICE FILED DATE: 08/31/2022

RULE SUMMARY: Removing 60 day written request window cutoff for hardship requests to the Board from part (7). A request may be made in writing at any time.

CHANGES TO RULE:

848-035-0020

Required Hours and Period for Completion ¶¶

(1) All licensed physical therapists and physical therapist assistants are required within each certification period to complete 24 hours of continuing competence consistent with the requirements, minimums and maximums as defined in OAR 848-035-0030. No single qualifying continuing competence activity may be less than .5 hours.¶¶

(2) Except as provided in parts (3), (4) and (5) of this rule, for purposes of determining whether a licensee has satisfied the continuing competence requirement under this rule, the Board will accept all qualifying continuing competence hours completed any time within the current certification period in which the license was issued or renewed, regardless of the specific date the license was issued or renewed. This includes continuing competence taken by student physical therapists or student physical therapist assistants, outside their program requirements, while they are enrolled in a physical therapy program.¶¶

(3) Notwithstanding the provisions of part (2) of this rule, a licensee must complete and document pursuant to OAR 848-035-0040, all 24 hours of continuing competence hours prior to renewal of license.¶¶

(4) Notwithstanding the provisions of part (1) of this rule, any person who is first issued a license, or who renews a license that lapsed at the end of the prior certification period, must complete continuing competence hours in the current certification period as follows:¶¶

(a) If initially licensed or renewed anytime during the first year of a certification period (April 1st of an even numbered year through March 31st of an odd numbered year), the individual must complete the full 24 hours of continuing competence required for that certification period. A licensee whose license lapses on April 1st of an even numbered year, regardless of the reason, and who subsequently renews the lapsed license during the first 12 months of a new certification period, shall provide documentation of completion of the continuing competence

requirements for the immediately prior certification period before the license will be renewed. For this purpose, the continuing competence activities may be completed in the prior or current certification period, however, any specific activity can only be applied once.¶

(b) If initially licensed or renewed anytime during the second year of a certification period (April 1st of an odd numbered year through March 31st of an even numbered year), the individual must complete one-half (12 hours) of the continuing competence required for that certification period.¶

(c) Thereafter, such licensees must complete the same continuing competence requirements as other licensees.¶

(5) Notwithstanding the provisions of this rule and OAR 848-010-0033(6), a physical therapist or physical therapist assistant who is first licensed between January 1st to and including March 31st of an even numbered year and is renewing a license during an even numbered year is not required to complete continuing competence for the current certification period. Thereafter, such licensee shall be subject to the continuing competence requirement for all subsequent certification periods.¶

(6) Failure to complete the required continuing competence by March 31st of an even-numbered year shall constitute a violation of this Division 35.¶

(7) In individual cases involving physical disability or illness, undue hardship, or active military duty, the Board may grant waivers of the continuing competency requirements or extensions of time to fulfill the requirement.

Requests for waiver or extension shall be made to the Board, in writing, ~~at least 60 days prior to license expiration.~~

Statutory/Other Authority: ORS 688.160

Statutes/Other Implemented: ORS 688.160(6)(g)

AMEND: 848-035-0030

NOTICE FILED DATE: 08/31/2022

RULE SUMMARY: Amending rule to clarify language, remove online content exam requirement, and aligning rule language with recent OHA rule changes.

CHANGES TO RULE:

848-035-0030

Continuing Competence Requirements and Restrictions ¶¶

(1) Mandatory Requirements: Of the 24 required hours of continuing competence, all licensees must complete the following mandatory course requirements as follows, when applicable:¶¶

(a) Pain Management: All Oregon physical therapists and physical therapist assistants must complete the online pain management module provided by the Oregon Pain Management Commission as follows:¶¶

(A) At initial licensure.¶¶

(B) At each renewal, unless the date course was completed for initial licensure was within one year of the renewal date.¶¶

(b) Cultural Competence: Effective April 1, 2020, all licensed physical therapists and physical therapist assistants must complete a minimum of one hour of continuing competence that meets the criteria established by the Oregon Health Authority pursuant to OAR 943-090-0020 for cultural competency education. This requirement must be completed each certification period.¶¶

(A) The Board shall accept courses approved by the Oregon Health Authority (OHA) under ORS 413.450.¶¶

(B) The Board may accept other courses to the extent that the course ~~addresses attitudes and skills that enhance a licensee's ability to~~ includes content that addresses the examination of practitioner values and beliefs, developing and applying skills supporting an inclusive approach to health care practice that improves health outcomes by reducing health disparities and inequities, and which recognizes the context and complexities of provider-patient communication and interact effectively with individuals across various cultures, group and preserving the dignity of individuals, families and communities.¶¶

(2) Clinical Courses or Activities: In addition to the mandatory requirements in part (1) of this rule, the continuing competence requirements of this Division 35 may be satisfied through clinical courses or activities, directly related to the delivery or provision of physical therapy which may include:¶¶

(a) Courses, seminars, activities, and workshops sponsored, certified, or approved by an established and recognized health related organization or professional association recognized by the Board, ~~excluding webinars or online courses that do not require an examination or that would otherwise be excluded under part (4). The examination requirement is waived for the 2020-2022 certification period; unless excluded under part (4).~~¶¶

(b) Courses, seminars or activities approved for continuing education or competency by other states which require continuing education or competency for physical therapists or physical therapist assistants, ~~excluding other state jurisprudence exams, webinars, or online courses that do not require an examination or that would otherwise be excluded under part (4). The examination requirement is waived for the 2020-2022 certification period; and other content excluded under part (4).~~¶¶

(c) Courses provided by an accredited institution of higher education, which may include but are not limited to, courses leading to an advanced degree in physical therapy or other courses that advance the licensee's physical therapy competence. For purposes of this rule, one college credit is equal to 10 (ten) contact hours;¶¶

(d) Individual home study courses approved by an entity under (a), (b) or (c) above which require an examination;¶¶

(e) Courses in cardiopulmonary resuscitation (CPR), Basic Life Support (BLS), or Advanced Cardiac Life Support (ACLS), will be limited to one hour of continuing competence credit, regardless of the length of the course. A licensee may receive credit for completion of a CPR, BLS, or ACLS course only one time during any certification period, however, a course may be repeated during each subsequent certification period;¶¶

(f) Courses or lectures which a licensee presents if the course or lecture awards continuing competence hours to participants and the licensee requests continuing competence credit from the Board;¶¶

(A) The licensee may receive continuing competence hours equivalent to the actual credit hours awarded to participants for that portion of the program which the licensee presents;¶¶

(B) The maximum cumulative credit granted for presenting courses or lectures shall be no more than one third of the total continuing competence requirement during any certification period and;¶¶

(C) A licensee may receive credit for presenting a particular course or lecture only one time during any certification period, regardless of how many times the licensee presents that course or lecture;¶¶

(g) Publishing an article in a peer review journal;¶¶

(A) The maximum credit granted for publishing an article shall be one third of the total continuing competence

requirement during any certification period, up to 8 hours and;¶

(B) A licensee may receive credit for publishing an article only one time during any certification period;¶

(h) Serving as a certified clinical instructor as follows:¶

(A) A licensee who has completed a Board-approved clinical instructor certification program prior to supervising a student may receive continuing competence credit equivalent to 1 credit hour for each 40 hours of direct clinical instruction to a physical therapist student or physical therapist assistant student enrolled in a physical therapy or physical therapy assistant program.¶

(B) The maximum cumulative credit granted for serving as a clinical instructor shall be no more than one-third of the total continuing competence requirement during any certification period, up to 8 hours.¶

(C) The licensee must obtain a letter or certificate from the student's academic institution verifying that the student has completed the course of clinical instruction;¶

(i) Completion of a specialty certification through the American Board of Physical Therapy Specialists (ABPTS), which shall qualify for a maximum 24 hours of continuing competence during the period in which the specialist certification is awarded;¶

(j) Completion of a clinical residency or fellowship program accredited or recognized by the American Board of Physical Therapy Residency and Fellowship Education (ABPTRFE), which shall qualify for a maximum of 24 hours of continuing competence during the period in which the residency or fellowship was completed;¶

(k) Passing the Board approved Oregon jurisprudence examination which shall qualify for 3 hours of continuing competence. A licensee may receive credit for completion of the jurisprudence examination only one time during any certification period, however, the course may be repeated each certification period;¶

(l) Successful completion of the Oregon Pain Management Commission's web based pain management module which shall qualify for the amount of continuing competence credit shown on the certificate. A licensee may receive credit for completion of the pain management module only one time during any certification period and;¶

(m) Courses or activities approved by the Board by special request. Request for approval shall be made to the Board, in writing, at least 60 days prior to license expiration.¶

(3) Non-clinical courses or activities; optional: A portion of the continuing competence requirements of this Division 35 may be satisfied through the following non-clinical courses or activities recognized by an accredited institution or recognized health-related organization or professional association recognized by the Board. Courses completed under this part (3) may qualify for up to a maximum of 8 hours total, with no more than 4 hours maximum from any single category of coursework (a) to (d) within a certification period. A licensee initially licensed or whose lapsed license is renewed in the second year of a certification period, may complete up to 4 maximum hours total from any or all category of coursework (a) to (d).¶

(a) Personal Development/Self Care¶

(b) Business/Leadership¶

(c) Professional Conduct/Ethics¶

(d) Committee work or serving as an officer for the following: Oregon Board of Physical Therapy (OBPT), Oregon Physical Therapy Association (OPTA), American Physical Therapy Association (APTA) or the Federation of State Boards of Physical Therapy (FSBPT). Each meeting will count as one hour and must be documented with a certificate or letter signed by the Chair, Vice Chair, or officer of the organization.¶

(4) Notwithstanding part (2) or (3) of this rule, activities which will not satisfy the continuing competence requirement include:¶

(a) Courses provided by an accredited institution of higher education taken as part of the curriculum requirements of a CAPTE accredited physical therapy program;¶

(b) Workplace non-clinical employee orientation programs or trainings completed as a condition of employment;¶

(c) Courses, seminars or activities for which continuing competence hours were applied to an individual's license renewal during the most immediate prior certification period;¶

(5) A licensee may receive credit for completing a course, seminar or activity only one time during a certification period regardless of how many times the licensee attends that course, seminar or activity.¶

(6) A licensee who completes more than the required number of continuing competency hours during a certification period, may request to carryover a maximum of 8 hours to the next immediate certification period. Requests to carryover hours shall be made to the Board, in writing, ~~at least 60 days prior to license expiration~~ by February 1st of the even-numbered year prior to the end of the certification period into which the licensee wishes to carryover credits from the prior period.

Statutory/Other Authority: ORS 688.160

Statutes/Other Implemented: ORS 688.160(6)(g)

AMEND: 848-035-0040

NOTICE FILED DATE: 08/31/2022

RULE SUMMARY: Clarifying part (3) to remove reference to renewals in even-numbered years as some late renewals are made in odd-numbered years. Further clarifying that the documentation referenced in part (3) would be in addition to documentation in part (2).

CHANGES TO RULE:

848-035-0040

Documentation of Continuing Competence ¶¶

(1) In order to qualify for credit against the required hours, a continuing competence course, seminar or activity must include a completion certificate. The certificate must include the title of the course or activity, the name of the sponsor or speaker, date of completion, number of hours and licensee's name.¶¶

(2) The licensee is responsible for obtaining a completion certificate from the sponsor or speaker. The licensee is further responsible for retaining the certificate and submitting a legible copy to the Board in the manner designated by the Board before or during renewal of license. All completion certificates shall be retained by the licensee for a minimum of four (4) years from the certificate date.¶¶

(3) The Board may require all or any percentage of physical therapists and physical therapist assistants who are renewing their licenses ~~in the even-numbered year to provide~~ to provide additional documentation of completion of the continuing competence requirements of this Division 35.

Statutory/Other Authority: ORS 688.160

Statutes/Other Implemented: ORS 688.160(6)(g)